

In re application of:

Hartley et al.

Appl. No.: 09/517,466

Filed: March 2, 2000

For: Compositions and Methods for

Use in Recombinational Cloning of Nucelic Acids

Confirmation No.: 4289

Art Unit: 1634

Examiner: Johannsen, D.

Atty. Docket: 0942.4680003/RWE/BJD/JKM

Sixth Supplemental Information Disclosure Statement

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

The numbering on this Sixth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed electronically on December 15, 2003, in connection with the above-captioned application.

Copies of documents AJ7-AK7, AA8-AK8 and AA9-AB9 are not provided in accordance with the Changes To Support Implementation of the United States Patent and Trademark Office 21st Century Strategic Plan, effective October 21, 2004, which states "section 1.98(a)(2)(i) is amended to eliminate the requirement in paragraph (a)(2)(i) for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application." A copy of each other document is provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication

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Hartley *et al.* Appl. No. 09/517,466

dates on the attached Form PTO-1449 based on information presently available to the undersigned.

However, the listed publication dates should not be construed as an admission that the information was

actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the

information provided herewith, and/or to prove that this information may not be prior art, and/or to prove

that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that

information more material to the examination of the present patent application does not exist. The

Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing of a first Office Action

after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. No statement or fee is

required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form

PTO-1449, and indicate in the official file wrapper of this patent application that the documents have

been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or

credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono

Attorney for Applicants Registration No. 42,473

1100 New York Avenue, N.W. Washington, D.C. 20005-3934

Jun. 21, 2005

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Page 2 of 10 JAN 2 1 2005 APPLICATION NO. ATTY. DOCKET NO. 0942.4680003/RWE/BJD/JKM 09/517,466 FORM PTO-1449 APPLICANT(S) Hartley et al. SIXTH SUPPLEMENTAL FILING DATE **ART UNIT** INFORMATION DISCLOSURE STATEMENT March 2, 2000 1634 **U.S. PATENT DOCUMENTS EXAMINER** NAME CLASS SUB-CLASS FILING DATE **DOCUMENT NUMBER** DATE **INITIAL** 03/20/2003 Farmer et al. 09/17/2002 AA8 2003/0054555 01/17/2002 03/27/2003 Farmer AB8 2003/0059900 2003/0153055 08/14/2003 | Miles et al. 02/20/2003 AC8 2003/0176644 09/18/2003 | Byrd et al. 02/07/2002 AD8 11/27/2003 | Hackett et al. 02/07/2003 2003/0220249 AE8 02/26/2004 | Nomura et al. 11/22/2002 AF8 2004/0040053 03/26/2003 03/18/2004 | Hartley et al. AG8 2004/0053412 10/08/2003 2004/0063207 04/01/2004 | Hartley et al. AH8 02/04/2000 AI8 6,720,140 04/13/2004 | Hartley et al. 09/02/2004 04/02/2004 2004/0171156 Hartley *et al*. AJ8 04/08/2004 2004/0171157 09/02/2004 | Hartley et al. AK8 FOREIGN PATENT DOCUMENTS **EXAMINER** DOCUMENT NUMBER DATE COUNTRY CLASS **SUB-CLASS** TRANSLATION INITIAL Yes AL10 WO 02/08391 01/31/2002 **WIPO** No Yes 02/28/2002 | WIPO WO 02/16594 AM10 No Yes AN10 WO 02/61034 08/08/2002 | WIPO No Yes WO 03/25161 03/27/2003 **WIPO** AO10 No Yes AP10 WO 03/103600 12/18/2003 | WIPO No OTHER (Including Author, Title, Date, Pertinent Pages, etc.) Bruckner, R.C., and Cox, M.M., "The Histone-like H Protein of Escherichia coli is a AR <u>114</u> ribosomal protein s3," Nucl. Acids Res. 17:3145-3161, Oxford University Press (1989) Hartley, J.L., et al., "DNA Cloning Using In Vitro Site-Specific Recombination," Genome AS 114 Res. 10:1788-1795, Cold Spring Harbor Laboratory Press (November 2000) Heyman, J.A., et al., "Genome-Scale Cloning and Expression of Individual Open Reading

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In re application of:

Hartley et al.

Appl. No.: 09/517,466

Filed: March 2, 2000

For: Comp

Compositions and Methods for

Use in Recombinational Cloning of Nucelic Acids

Confirmation No.: 4289

Art Unit:

1634

Examiner:

Johannsen, D.

Atty. Docket: 0942.4680003/RWE/BJD/JKM

Seventh Supplemental Information Disclosure Statement

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents AA20-AE20 are not provided in accordance with the Changes To Support Implementation of the United States Patent and Trademark Office 21st Century Strategic Plan, effective October 21, 2004, which states "section 1.98(a)(2)(i) is amended to eliminate the requirement in paragraph (a)(2)(i) for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application." A copy of each other document is provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Hartley *et al*. Appl. No. 09/517,466

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono Attorney for Applicants

Registration No. 42,473

Date: Jan 21, 2001 1100 New York Avenue, N.W.

Washington, D.C. 20005-3934

(202) 371-2600 340532_1.DOC FORM PTO-1449

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Page 4 of 14 APPLICATION NO. ATTY. DOCKET NO. 0942.4680003/RWE/BJD/JKM 09/517,466 **FORM PTO-1449** APPLICANT(S) Hartley et al. SEVENTH SUPPLEMENTAL BADE ART UNIT FILING DATE INFORMATION DISCLOSURE STATEMENT 1634 March 2, 2000 **U.S. PATENT DOCUMENTS** EXAMINER CLASS SUB-CLASS FILING DATE DOCUMENT NUMBER DATE NAME INITIAL AAABAC ADΑE AF AG AH ΑI ΑJ AK FOREIGN PATENT DOCUMENTS **EXAMINER** TRANSLATION **SUB-CLASS** COUNTRY CLASS DOCUMENT NUMBER DATE INITIAL Yes ALNo Yes ΑM No Yes AN No Yes AO No Yes AP No OTHER (Including Author, Title, Date, Pertinent Pages, etc.) Gottesman, S., "Bacterial Regulation: Global Regulatory Networks," Ann. Rev. Genet. AR<u>203</u> 18:415-441, Annual Reviews, Inc. (1984) Guo, F., et al., "Structure of Cre recombinase complexed with DNA in a site-specific AS 203 recombination synapse," Nature 389:40-46, Nature Publishing Group (1997) Hallet, B. and Sherratt, D.J., "Transposition and site-specific recombination: adapting DNA cut-and-paste mechanisms to a variety of genetic rearrangements," FEMS Microbiol. Rev. <u>203</u> ΑT 21:157-178, Elsevier Science B.V. (1997)

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OTHE Page 8 of 14 <u>jan 21 2005</u> FORM PTO-1449 APPLICATION NO. ATTY. DOCKET NO. 0942.4680003/RWE/BJD/JKM 09/517,466 APPLICANT(S) Hartley et al. SEVENTH SUPPLEMENT FILING DATE ART UNIT INFORMATION DISCLOSURE STATEMENT 1634 March 2, 2000 **U.S. PATENT DOCUMENTS** EXAMINER DOCUMENT NUMBER NAME CLASS **SUB-CLASS** FILING DATE DATE **INITIAL** AAABACAD ΑE ΑF AG ΑH ΑI ΑJ ΑK FOREIGN PATENT DOCUMENTS **EXAMINER** SUB-CLASS TRANSLATION CLASS DOCUMENT NUMBER DATE COUNTRY INITIAL Yes ΑL No Yes AM No Yes AN No Yes ΑO No Yes ΑP No OTHER (Including Author, Title, Date, Pertinent Pages, etc.) McKnight, S.L., "Functional Relationships between Transcriptional Control Signals of the AR <u> 207</u> Thymidine Kinase Gene of Herpes Simplex Virus," Cell 31:355-365, MIT (1982) Nunes-Düby, S.E., et al., "λ Integrase cleaves DNA in cis," EMBO J. 13:4421-4430, Oxford 207 AS University Press (1994) Odell, J., et al., "Site-directed recombination in the genome of transgenic tobacco," Mol.

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In re application of:

Hartley et al.

Appl. No.: 09/517,466

Filed: March 2, 2000

For:

Compositions and Methods for

Use in Recombinational Cloning of Nucelic Acids

Confirmation No.: 4289

Art Unit:

1634

Examiner:

Johannsen, D.

Atty. Docket: 0942.4680003/RWE/BJD/JKM

Eighth Supplemental Information Disclosure Statement

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

The numbering on this Eighth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Seventh Supplemental Information Disclosure Statement filed herewith, in connection with the above-captioned application.

Copies of documents AF20 and AG20 are not provided in accordance with the Changes To Support Implementation of the United States Patent and Trademark Office 21st Century Strategic Plan, effective October 21, 2004, which states "section 1.98(a)(2)(i) is amended to eliminate the requirement in paragraph (a)(2)(i) for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application." A copy of each other document is provided.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, in regards to non-English language documents **AL20** and **AM20** cited on Form PTO 1449:

Document AL20, French Patent Publication No. FR 2 670 502, is in the French language. Document AM20, PCT Patent Publication No. WO 92/10577, is in the French language. An unverified English language abstract of documents AL20 and AM20 is attached as document AS213.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Hartley *et al*. Appl. No. 09/517,466

This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono Attorney for Applicants

Registration No. 42,473

Date: Jan. 21, 2001 1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600 354659_1.DOC

Page 1 of 3 APPLICATION NO. ATTY. DOCKET NO. 0942.4680003/RWE/BJD/JKM 09/517,466 APPLICANT(S) Harltey et al. EIGHTH SUPPLEMENTAL FILING DATE ART UNIT **INFORMATION DISCLOSURE STATEMENT** 1634 March 2, 2000 **U.S. PATENT DOCUMENTS EXAMINER** DOCUMENT NUMBER DATE NAME CLASS **SUB-CLASS** FILING DATE INITIAL AA ABAC AD ΑE 5,451,513 09/19/1995 Maliga *et al*. 08/25/1993 AF20 07/19/2004 12/16/2004 Hartley et al. AG20 2004/0253631 ΑH ΑI ΑJ AK FOREIGN PATENT DOCUMENTS **EXAMINER** SUB-CLASS **TRANSLATION** DOCUMENT NUMBER DATE COUNTRY CLASS INITIAL Yes AL20 FR 2 670 502 06/16/1992 | France No Yes **WIPO** AM20 WO 92/10577 06/25/1992 X No Yes **WIPO** WO 94/20604 09/15/1994 AN20 No Yes AO20 WO 00/29000 05/25/2000 **WIPO** No Yes AP20 WO 00/52027 09/08/2000 **WIPO** No OTHER (Including Author, Title, Date, Pertinent Pages, etc.) AR Dialog File 351, Derwent World Patent Index, English Language Abstract for French Patent No. FR 2 670 502 (Document AL20) and PCT Patent No. WO 92/10577 (Document AM20), AS <u>213</u> WPI Accession No. 9107201

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

Office Action for U.S. Patent Application No. 09/907,719 mailed on December 28, 2004

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considered. Include copy of this form with next communication to Applicant. 353190_1.DOC

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